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Counsel for Defendant **JEANETTE BLAND**

IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	) NO. CR-07-0670-JSW
	)
	) <b>JEANETTE BLAND'S</b>
Plaintiff,	) <b>STATUS MEMORANDUM REGARDING</b>
vs.	) <b>PENDING SENTENCING HEARING</b>
	) <b>OF MARCH 20, 2008</b>
	)
JEANETTE BLAND,	)
	)
Defendant.	)
	)

As the Court is aware, this case involves a plea agreement under Rule 11 (c)(1)(C) of the Federal Rules of Criminal Procedure ("Rules") to dispose of charges from the District of Nebraska that were transferred to the Northern District of California pursuant to Rule 20 of the Rules. The plea agreement was, thus, what is known as a "binding plea agreement." Therefore, the parties agreed on a sentence that bound the Court to the extent that, if the Court declined to follow the terms of the plea agreement, either party to the agreement was free to withdraw.

1 At the previously set date for sentencing, March 6, 2008, the  
2 Court advised the parties that it would not follow the agreed  
3 disposition set forth in the plea agreement. The plea agreement  
4 was therefore nullified and the parties were then free to  
5 negotiate a new one or the defendant could enter an open plea  
6 without the benefit of an agreement. If neither action occurred,  
7 the case would be transferred back to Nebraska to start anew.  
8

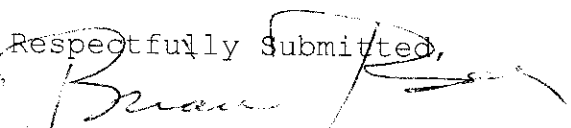
9 As the Court is aware, the U.S. Attorney's Office of the  
10 Northern District of California ("Northern District") agreed to  
11 stand in for the Nebraska District in order to keep the case in  
12 the Northern District where Ms. Bland resides. Thus, plea  
13 negotiations by Ms. Bland's counsel were with the Nebraska AUSA.  
14

15 On March 7, 2008, Ms. Bland's counsel was informed by the  
16 Nebraska AUSA that it would decline to negotiate a new plea  
17 agreement in the case's Rule 20 posture. Ms. Bland will not  
18 proceed with sentencing absent a plea agreement and, therefore,  
19 will now ask to withdraw her guilty plea as is her prerogative  
20 under ¶6 of the Plea Agreement.  
21

22 The anticipated Rule 20 plea disposition can no longer be  
23 effectively pursued. Both parties are aware of this and it is Ms.  
24 Bland's understanding that the government is seeking a transfer of  
25 the case back to the District of Nebraska.  
26

27 Date: 3/18/08

Respectfully Submitted,

  
BRIAN P. BERSON  
ATTORNEY FOR JEANETTE BLAND